

109TH CONGRESS  
2D SESSION

# H. R. 5514

To amend title XVIII of the Social Security Act to provide coverage for lung cancer screening tests for certain high-risk individuals under the Medicare Program.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 25, 2006

Mr. SHAW introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend title XVIII of the Social Security Act to provide coverage for lung cancer screening tests for certain high-risk individuals under the Medicare Program.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Medicare Lung Cancer  
5       Screening Benefit Act of 2006”.

1 **SEC. 2. MEDICARE COVERAGE OF LUNG CANCER SCREEN-**  
2 **ING TESTS FOR HIGH-RISK INDIVIDUALS.**

3 (a) IN GENERAL.—Section 1861(s)(2) of the Social  
4 Security Act (42 U.S.C. 1395x(s)(2)) is amended—

5 (1) by striking “and” at the end of subpara-  
6 graph (Z);

7 (2) by adding “and” at the end of subpara-  
8 graph (AA); and

9 (3) by adding at the end the following new sub-  
10 paragraph:

11 “(BB) lung cancer screening tests (as defined  
12 in subsection (ccc)).”.

13 (b) SERVICES DESCRIBED.—Section 1861 of such  
14 Act is further amended by adding at the end the following  
15 new subsection:

16 “Lung Cancer Screening Tests

17 “(ccc)(1) The term ‘lung cancer screening tests’  
18 means testing furnished to an individual at risk for lung  
19 cancer (as defined in paragraph (2)) for the purpose of  
20 early detection of lung cancer, including—

21 “(A) a low dose computerized axial tomography  
22 scan;

23 “(B) sputum analysis;

24 “(C) fluorescent bronchoscopy; and

1           “(D) such other tests, and modifications to  
2       tests, as the Secretary determines appropriate, in  
3       consultation with appropriate organizations.

4           “(2) For purposes of paragraph (1), the term ‘indi-  
5       vidual at risk for lung cancer’ means an individual who  
6       has any of the following risk factors for lung cancer:

7           “(A) A family history of lung cancer.

8           “(B) A significant smoking history.

9           “(C) Exposure to toxic agents being monitored  
10      by the National Academy of Sciences under the  
11      Agent Orange Act of 1991 (Public Law 102–4),  
12      under the Persian Gulf War Veterans Act of 1998  
13      (title XVI of division C of Public Law 105–277), or  
14      under the Veterans Program Enhancement Act of  
15      1998 (Public Law 105–368).

16          “(D) Significant exposure to radon, asbestos,  
17      beryllium, uranium, second hand smoke, or other  
18      known carcinogens.

19          “(E) Previous lung disease.

20          “(3) The Secretary shall establish standards, in con-  
21      sultation with appropriate organizations, regarding the  
22      frequency of coverage of lung cancer screening tests under  
23      this title.”.

24          (c) FREQUENCY.—Section 1862(a)(1) of such Act  
25      (42 U.S.C. 1395y(a)(1)) is amended—

1           (1) by striking “and” at the end of subpara-  
2 graph (M);

3           (2) by striking the semicolon at the end of sub-  
4 paragraph (N) and inserting “, and”; and

5           (3) by adding at the end the following new sub-  
6 paragraph:

7           “(O) in the case of lung cancer screening tests  
8 (as defined in section 1861(ccc)(1)), which are per-  
9 formed more frequently than is covered under sec-  
10 tion 1861(ccc)(3);”.

11       (d) EFFECTIVE DATE.—The amendments made by  
12 this section shall apply to tests furnished on or after Janu-  
13 ary 1, 2007.

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